

Message Text

SECRET

PAGE 01 STATE 063155

12
ORIGIN NEA-10

INFO OCT-01 EUR-12 ISO-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00

INR-07 NSAE-00 DODE-00 SSO-00 NSCE-00 INRE-00 MC-02

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PM/SAS:DJAMES (SBST)

----- 022911

O R 160144Z MAR 76
FM SECSTATE WASHDC
TO AMEMBASSY JIDDA IMMEDIATE
AMEMBASSY SANA IMMEDIATE
INFO AMEMBASSY LONDON

S E C R E T STATE 063155

E.O11652: GDS

TAGS: MASS, MARR, SA, YE

SUBJECT: ARMS FOR YEMEN

REFERENCES: (A) JIDDA 1883, (B) SANA 852, (C) JIDDA 1804,
(D) JIDDA 1773, (E) SANA 811, (F) USDAO SANA DTG 070500Z
MARCH 76, (G) SANA 752, (H) SANA 743, (J) STATE 45897,
(K) SANA 517.

1. BEGIN SUMMARY: RECENT TRAFFIC FROM JIDDA AND SANA
INDICATES MISUNDERSTANDINGS ON PROCEDURES CONCERNING
ARMS PROGRAM FOR YAR. EMBASSIES JIDDA AND SANA SHOULD
PROMPTLY CONVEY TO YARG AND SAG ESSENTIAL POINTS OF USG
POSITION AND URGE YARG AND SAG INITIATE PROCESS OF CLOSE
CONSULTATION ON ARMS PROGRAM; ACTG ASSISTANT SECRETARY OF
DEFENSE JORDAN WILL ALSO BE PREPARED DISCUSS THESE ISSUES
IN BOTH SAUDI ARABIA AND YEMEN. END SUMMARY.

SECRET

SECRET

PAGE 02 STATE 063155

2. FOR YARG PROGRAM, THERE ARE TWO SEPARATE FACETS
RELATING TO NON-TRANSFER ASSURANCES:

A) FIRST FACET IS FOR EQUIPMENT PREVIOUSLY SOLD TO SAG
BY USG WHICH SAUDIS DECIDE TO TRANSFER TO YAR. WHEN THIS
EQUIPMENT WAS ORIGINALLY SOLD, SAUDIS AGREED THAT ANY
TRANSFER TO ANOTHER COUNTRY COULD NOT BE DONE WITHOUT
PRIOR USG APPROVAL. AS LETTER OF DECEMBER 4, 1975 FROM

MODA PRINCE SULTAN TO EMBASSY REGARDING TRANSFER OF 105 MM
HOWITZERS TO YAR (JIDDA'S 8093 DECEMBER 6, 1975) CLEARLY
INDICATES, SAUDIS UNDERSTOOD PROCEDURE. THE LOGICAL
COROLLARY OF THIS REQUIREMENT IS THAT COUNTRY RECEIVING
EQUIPMENT BEING TRANSFERRED (IN THIS CASE YAR) SHOULD
FURNISH ASSURANCES THAT IT WILL NOT IN TURN TRANSFER THIS
EQUIPMENT TO ANOTHER COUNTRY WITHOUT PRIOR USG APPROVAL.
THESE REQUIREMENTS ARE PART OF USG LEGISLATION AND IT NOT
POSSIBLE FOR USG TO COMPROMISE ON ISSUE BY ENTRUSTING TO
SAG RESPONSIBILITY TO ASSURE THAT YAR WILL NOT TRANSFER
EQUIPMENT TO FOURTH PARTY, AS PROPOSED BY PRINCE SAUD
(REFTEL C).

B) SECOND FACET RELATES TO EQUIPMENT WHICH WOULD BE SOLD
DIRECTLY TO YAR ASSUMING SAUDIS ACCEPT PROCEDURE EARLIER
OUTLINED IN MAY 1975 LETTER FROM AMBASSADOR AKINS TO
PRINCE SULTAN AND WHICH COL. DHABIRI HAS ACCEPTED AND
PROMISED TO DISCUSS WITH PRINCE SULTAN. UNDER THIS
PROCEDURE, YAR WOULD BE REQUIRED, JUST AS ANY OTHER FMS
PURCHASER, TO SIGN LOAS WHICH INCLUDE STANDARD REQUIREMENT
NOT TO TRANSFER EQUIPMENT TO ANOTHER PARTY WITHOUT PRIOR
USG APPROVAL. ISSUE AT MOMENT IS THAT SAG HAS NOT YET
AGREED TO PROCEDURE TO BE FOLLOWED FOR SHIPMENT OF
EQUIPMENT TO YAR. IF SAG ACCEPTS THIS PROCEDURE, NO
SEPARATE ASSURANCES ARE REQUIRED OF YAR. AS WE HAVE
INDICATED EARLIER, FACT THAT YAR SIGNS LOAS IN NO WAY
DIMINISHES VISIBLE AND CONTROLLING SAUDI ROLE IN YAR ARMS
PROGRAM.

3. DOD HOPES TO HAVE PREPARED LETTERS OF OFFER COVERING
SAUDI LIST PRIOR TO PRINCE SULTAN'S VISIT TO SANA ON
APRIL 10. DEPT. OF ARMY COURIER WILL HAND-CARRY TO
JIDDA PRIOR TO SULTAN'S VISIT. LETTERS OF OFFER WILL BE
SECRET

SECRET

PAGE 03 STATE 063155

ADDRESSED TO YARG REPEAT YARG, NOT SAG, IN ACCORDANCE
WITH PROCEDURE WHICH USG HAS CONSISTENTLY PROPOSED.
HOWEVER, LETTERS OF OFFER WILL NOT BE PRESENTED TO YAR
UNTIL AFTER APPROVAL BY SAG AND WE WOULD HAVE NO OBJECTION
IF SAG PREFERRED ITSELF DELIVER LOAS TO YAR FOR SIGNATURE
AND THEN RETURN THEM TO US. SOME OF THESE WILL BE SUBJECT
TO CONGRESSIONAL REVIEW AND WILL NOT BE AVAILABLE FOR
RELEASE AS SIGNED LOAS UNTIL REVIEW PERIOD EXPIRES.

WE MAY BE ABLE TO PROVIDE UNSIGNED COPIES FOR MODA
REVIEW CONCURRENT WITH CONGRESSIONAL REVIEW.

4. WE UNDERSTAND FROM REPORTING THAT VISIT BY PRINCE SULTAN TO SANA IS INDEPENDENT OF PROGRESS ON ARMS PROGRAM AND WILL FOCUS LARGEMLY ON ECONOMIC QUESTIONS (REFTELS G, H). IT THEREFORE SEEMS UNJUSTIFIED FOR YARG OR SAG TO ATTRIBUTE POSSIBLE DELAY IN SULTAN VISIT TO PUTATIVE DELAYS IN USG RESPONSE TO SAUDI SHOPPING LIST OF JANUARY 26.

5. FOR SANA: IT ESSENTIAL THAT YARG UNDERSTAND DIFFERENCE IN PROCEDURES GOVERNING TRANSFER OF WEAPONS FROM SAUDI ARABIA PREVIOUSLY SOLD TO SAUDI ARABIA BY USG (PARA 2-A ABOVE) AND PROCEDURES GOVERNING NEW EQUIPMENT (PARA 2-B). SINCE YEMENI OBJECTION TO SIGNING LETTERS RESTRICTING TRANSFER TO FOURTH COUNTRIES OF OLD EQUIPMENT (INCLUDING TWELVE HOWITZERS DELIVERED TO SANA BY SAG IN SEPTEMBER 75) APPEARS TO ORIGINATE WITH PRESIDENT AL-HAMDI, RECOMMEND THAT AMBASSADOR SEEK APPOINTMENT WITH HIM AT EARLIEST POSSIBLE OPPORTUNITY. YOU SHOULD STRESS THAT PROCEDURES GOVERNING THIRD-COUNTRY TRANSFERS ARE ROOTED IN USG LEGISLATION AND APPLIED EQUALLY TO ALL COUNTRIES RECEIVING USG-ORIGIN WEAPONS. EXECUTIVE BRANCH OF USG IS BOUND BY THIS PROCEDURE. SINCE EQUIPMENT TO BE DELIVERED IS FOR YARG'S OWN USE, USG DOES NOT UNDERSTAND YARG OBJECTION.

6. FOR JIDDA: SUCCESS OF JORDAN MISSION, INSOFAR AS IT RELATES TO YAR ARMS PROGRAM, REQUIRES SAG ACCEPTANCE OF PROCEDURES GOVERNING BOTH OLD AND NEW EQUIPMENT FOR YAR. SUGGEST THAT EMBASSY SEEK CONTACT PRINCE SULTAN PRIOR TO REPEAT PRIOR TO JORDAN VISIT TO ELICIT HIS VIEWS ON

SECRET

SECRET

PAGE 04 STATE 063155

BOTH TRANSFER OF OLD EQUIPMENT AND SIGNING OF LOA'S FOR NEW EQUIPMENT. ON OLD EQUIPMENT, YOU SHOULD NOTE THAT SAG ITSELF HAS ALREADY ACCEPTED US REQUIREMENTS BUT THAT YARG SEEMS TO NOT FULLY UNDERSTAND THOSE REQUIREMENTS. COULD SAG ENCOURAGE YARG TO TAKE A MORE FORTHCOMING POSITION?

7. ON NEW EQUIPMENT, YOU SHOULD STRESS THAT PROCEDURE WHEREBY SAG SIGNS A STATEMENT AGREEING TO PAY FOR EACH LOA, BUT THAT YARG SIGNS ACTUAL LOA, IS DESIGNED TO MINIMIZE PAPERWORK COMPLICATIONS AND COMPLY WITH USG

LEGISLATIVE REQUIREMENTS, WHILE PRESERVING CENTRAL SAG ROLE IN ARMS PROGRAM. USG PROPOSAL THAT NEW EQUIPMENT BE DELIVERED DIRECTLY TO YAR IS BASED ON DESIRE TO

IMPLEMENT PROGRAM EFFECTIVELY WITH MINIMUM OF DELAY. USG HAS PROPOSED THAT EQUIPMENT, WHEN DELIVERED TO YAR COULD, IF YEMENIS AGREE, BE TURNED OVER INITIALLY TO A SAUDI MILITARY GROUP FOR INSPECTION, TO BE FOLLOWED BY TRANSFER TO YARG ARMED FORCES.

8. FOR SANA AND JIDDA: IT IS OBVIOUS THAT SAG AND YARG HAVE NOT BEEN CONSULTING WITH ONE ANOTHER ON THESE QUESTIONS (REFTEL E). BOTH POSTS SHOULD URGE THEIR RESPECTIVE HOST GOVERNMENTS TO ESTABLISH NECESSARY CONTACTS AND VIABLE MECHANISMS TO RESOLVE THESE AS WELL AS FUTURE PROBLEMS ASSOCIATED WITH ARMS PROGRAM. WE ASSUME THAT JOINT SAUDI-YEMENI COMMISSION WOULD BE SUITABLE CONSULTATIVE MECHANISM, BUT DECISIONS ON TECHNICAL MATTERS CANNOT IN EACH CASE AWAIT CONVENING OF COMMISSION AT HIGHEST LEVEL. WOULD IT NOT BE POSSIBLE FOR OFFICE OF YEMENI AFFAIRS IN SAUDI MODA (DHAHIRI) AND OFFICE OF YEMENI CHIEF OF STAFF (AL-GHASHMI) TO ESTABLISH DIRECT COMMUNICATIONS LINK?

9. QUESTION OF "IMPACT PACKAGE" (REFTELS A, B, D) HAS BEEN RECEIVING HIGHEST PRIORITY DOD CONSIDERATION. IT IS UNLIKELY THAT MEANINGFUL "IMPACT PACKAGE" FOR IMMEDIATE DELIVERY CAN BE CULLED FROM SAUDI 26 JANUARY LIST. JORDAN MAY BE ABLE PRESENT "IMPACT PACKAGE" OF EQUIPMENT NOT REPEAT NOT EXTRACTED FROM LIST. KISSINGER

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SECRET

PAGE 05 STATE 063155

SECRET

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